

## REMARKS

This paper is in response to the Office Action dated July 5, 2005. The due date for response extends to October 5, 2005. Please cancel claim 20 and amend claims 19, 21, 28-31, 34, 36, 38, and 42. Claims 19, 21-42 are pending in the application after entry of the amendment. Claims 19, and 21-42 stand rejected.

Claims 19, and 21-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent number 6, 070,158 by *Kirsch et al.* in view of U.S. Patent number 6, 169, 988 by *Asakura*. Independent claim 19 has been amended to include the subject matter in claim 20 and claim 20 has been cancelled. Claims 21, 28-31, 34, 36, 38, and 42 have been amended to reflect the amendment of claim 19 and the cancellation of claim 20. Applicants respectfully request reconsideration of the amended independent claim 19, and its accompanying dependent claims 21-42 with the argument described below.

In regards to independent claim 19, *Kirsch et al.* describes a collection search system in response to a user query against a collection of documents to provide a search report. *Kirsch et al.* does not describe a first server configured to transmit data object description to the search engine during a log-in process of the first server with the search engine. Neither does *Kirsch et al.* describe the search engine is further configured to store the first data object description in the data object description table and configured to correlate the first data object description to the first server identifier within the data object description table during the log-in process. *Asakura* describes a data sharing system for efficiently transferring data on a network. *Asakura* does not describe a search engine that exists on the Internet. *Asakura* also does not describe a first server configured to transmit a data object description to the search engine during a log-in process of the first server with the search engine. In addition, *Asakura* does not describe that the search engine is further configured to store the first data object description in the data object description table and is configured to correlate the first data object description to the first server identifier within the data object description table during the log-in process.

The document server indexed by the search system described by *Kirsch et al.* does not have a log-in process of the server with the search system and the servers of the data sharing system described by *Asakura* also does not have a log-in process of the server with the connection party holding means. As such, it would not have been obvious to one of ordinary skill in the art at the time of the invention to arrive at a first server that is configured to transmit a first data object description to a search engine during a log-in process of the first

server with the search engine. Further, the combined teachings fail to suggest a search engine that is configured to store the first data object description in the data object\_description table and that is configured to correlate the first data object description to the first server identifier within the data object description table during the log-in process.

The Examiner has stated that the motivation to combine *Kirsch et al.* and *Asakura* is to allow the real-time search engine of *Kirsch et al.* to provide a data sharing system capable of always referring to the latest data. The type of search engine described by *Kirsch et al.* indexes documents on the servers to allow users search for documents on Internet. Documents on servers that are connected to Internet are created and removed from servers relatively slowly; therefore, it is considered acceptable to have document search engine indexes out of date. Many document search engines today contain dead links when the search results are returned, not to mention in 2001 when the current invention was filed. It would not have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to combine the search engine of *Kirsch et al.* with data sharing system described by *Asakura*. The Office is reminded that the mere fact that reference teachings can be combined or modified to arrive at the present invention is not sufficient to establish the present invention as being prima facie obvious. The combined reference teachings must suggest the desirability of their combination or modification to arrive at the presently claimed invention.

Therefore, *Kirsch et al.* and *Asakura*, alone or in combination, do not teach, or suggest a file sharing network for sharing files among a plurality of servers as defined by the now amended claim. In consequence, Applicants submit that independent claim 19 is patentable over *Kirsch et al.* and *Asakura* and request the allowance of independent claim 19.

Claims 21-42 are dependent claims of claim 19. Based on the argument describe above for claim 19, claims 21-42 are also patentable over *Kirsch et al.* and *Asakuar*. Applicants respectfully request withdrawal of the rejection.

In summary, Applicants request the withdrawal of the rejection of claims 19, and 21-42 and request that claims 19, and 21-42 be indicated to be allowable. A notice of allowance is respectfully requested.

If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 774-6924. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. NAPSP275C). A duplicate copy of the transmittal is enclosed for this purpose.

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Amdt. dated October 5, 2005  
Reply to Office action of July 5, 2005

**PATENT**

Respectfully submitted,  
MARTINE PENILLA & GENCARELLA, LLP

A handwritten signature in black ink, appearing to read 'Lie-Yea Cheng', with a stylized flourish at the end.

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